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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,637	04/01/2004	Mikio Ichinose	Q80766	8419
23373	7590	10/14/2005		EXAMINER
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037				REDMAN, JERRY E
			ART UNIT	PAPER NUMBER
			3634	

DATE MAILED: 10/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/814,637	ICHINOSE, MIKIO	
	<b>Examiner</b>	<b>Art Unit</b>	
	Jerry Redman	3634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 01 April 2004.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-10 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-10 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date: _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>4/1/2004</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

The applicant's information disclosure statement dated 4/1/2004 has been considered and a copy has been placed in the file.

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 1, line 5, it appears that "window" should be --sliding door--. In claim 4, line 5, it appears that --an--should be inserted after "at". In claim 5, line 10, the phraseology "protruded position to get stuck on the abutting portion" is not readily understood by the Examiner. Specifically, what is meant by "get stuck"? In claim 10, line 2, it appears that "0 millimeter" should be --zero--.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1, 2, and 5-10 are further rejected under 35 U.S.C. 102(a) as being anticipated by Yogo et al. (2003/0116995 A1). Yogo et al. disclose a sliding door apparatus comprising a sliding door (1) having a window (15) and slidably disposed with respect to a body (2) of the vehicle, a foreign object detecting unit (W), a pivotal slide

stopping unit (14) having a stopping member which abuts a portion on the vehicle body (13), an on/off switch (paragraphs 0005 and 0044), and a drive motor (8) for moving the sliding door (1) between an open and closed position.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 4 are further rejected under 35 U.S.C. 103(a) as being unpatentable over Yogo et al. in view of Kyritsos (6,925,755 B1). All of the elements of the instant invention are discussed in detail above except providing an emitter and detector for the presence of a foreign object. Kyritsos discloses an optical detector and receiver for detecting the presence of a foreign object in a movable window glass. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the door apparatus of Yogo et al. with a detection assembly as taught by Kyritsos since a detection assembly for a sliding window panel prevents unnecessary injury to an individual.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. patent to Engelgau et al. disclose a sliding door having a sliding window therein similar to that of the applicant's invention. U.S. patent to Asada et al. disclose a sliding door having a sliding window therein similar to that of the

applicant's invention. U.S. patent to Isomura discloses a sliding door having a sliding window therein similar to that of the applicant's invention. U.S. patent to Hamada et al. disclose a sliding door having a sliding window therein similar to that of the applicant's invention. U.S. patent to Ichinose et al. disclose a sliding door having a sliding window therein similar to that of the applicant's invention. U.S. patent to Yoshida et al. disclose a sliding door having a sliding window therein similar to that of the applicant's invention. U.S. patent to Yogo et al. (2004/0070231 A1) discloses a sliding door having a sliding window therein similar to that of the applicant's invention.

Any inquiry concerning this communication should be directed to Jerry Redman at telephone number 571-272-6835.



Jerry Redman  
Primary Examiner